

Page 2  
July 28, 1994

The inmate phone system also allows us to block certain telephone numbers from being called from the facility over the inmate phone lines. This is important when an inmate obtains the phone numbers of witnesses, victims or victim's relatives, and makes threats and harassing telephone calls.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceiling on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions--decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted



Harry Lewin  
Deputy Chief  
Jefferson County Sheriff Department  
P.O. Box 2950  
Beaumont, Texas 77704



William F. Weld  
Governor

Larry E. DuBois  
Commissioner

Michael T. Maloney  
Deputy Commissioner

*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety*  
*Department of Correction*

*Leicester Taltonstall Building, Government Center*  
*100 Cambridge Street, Boston, Mass. 02202*

*(617) 727-3300*

RECEIVED

July 25, 1994

AUG - 3 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

The Honorable Reed E. Hundt  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Billed Party Preference; CC Docket No. 92-77

Dear Mr. Hundt:

I am writing to share with you my concerns regarding a proposal being considered by the Federal Communications Commission known as Billed Party Preference. This proposal, if passed and made to apply to prison inmate telephone systems, will have major consequences for the Massachusetts Department of Correction.

During the past year we have installed a new inmate calling system, which provides us with the ability to control inmate calling. In managing a prison environment, control of all daily activities of inmates is important; this includes telephone calling. Our present system gives us the ability to effectively control inmate calling with the goal of eliminating or reducing criminal activity, toll fraud and harassment from being perpetrated through the telephone system. Before our existing inmate telephone system was installed, there were countless situations involving drug trafficking, toll fraud and harassment of victims, witnesses and other individuals via the telephone system. These types of activities have been drastically reduced with the inmate calling system now in place. We have the ability to limit the numbers an inmate can call, plus the ability to block calls to certain numbers. All calls are prefaced with an announcement which notifies the caller that the call is originating from a prison.

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This agency also pays particular attention to rates charged to families and friends who receive calls from an incarcerated person. Rates are reviewed and every effort is made to ensure that rates are in-line with those rates charged to law-abiding citizens. The rates charged are tariffed rates as approved by the Massachusetts Department of Public Utilities.

If this proposal is enacted and includes calls from prisons, it will seriously impact our goal to control illegal calling and our goal to protect public safety. I ask that every consideration be given to not having prison telephones fall under the regulations of Billed Party Preference.

Sincerely,

  
Larry E. DuBois  
Commissioner

cc: The Honorable James H. Quello, FCC  
✓ The Honorable Andrew C. Barrett, FCC  
The Honorable Rachelle B. Chong, FCC  
The Honorable Susan Ness, FCC  
Inmate Phone Service Providers Task Force, Greensboro, NC



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AUG - 3 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

DEKALB COUNTY COURTHOUSE  
DECATUR, GEORGIA 30030  
TELEPHONE A/C 404-371-2391

PAT JARVIS, Sheriff

July 25, 1994

The Honorable Reed E. Hundt, Chairman  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20554

re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Chairman Hundt,

We are vehemently opposed to the application of Billed Party Preference(BPP) at inmate facilities.

We have evaluated our administrative and security needs and have determined it necessary to route inmate calls to a single contract provider. We cannot extend to inmates the freedom to choose any carrier they please. This would take away our right to coordinate inmate calls through a carrier we trust.

We have long since determined the absolute necessity in utilizing telephone equipment specifically designed for inmate usage. Such equipment reduces the propensity for utilizing the telephone network for fraud, abusive calls, or other criminal activity. Given the budget constraints we face we would be unable to provide this equipment without the assistance of the inmate phone service provider. BPP would eliminate the revenue that funds our inmate phones. We strongly oppose any action that would place further costs upon the taxpayers of our county.

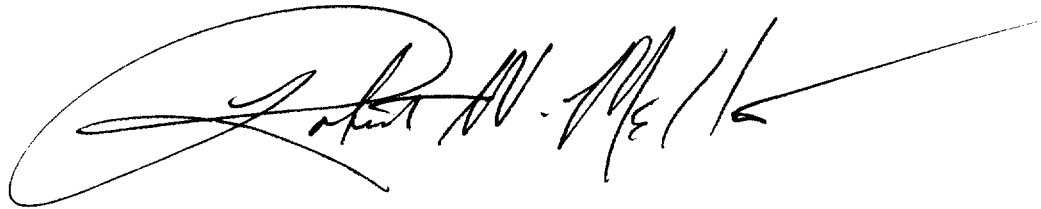
We are also sensitive to the rates inmate families pay for calls. We do however strongly believe that BPP is not the medium for regulating rate abuse. A more appropriate method would be to establish rate ceilings as Law or FCC Regulation which Sheriff's could enforce through their telephone service contracts. We are confident that the overwhelming majority of Sheriffs are resolute in requiring fair and reasonable rates.

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In conclusion, BPP would eliminate our ability to employ critical security and administrative measures necessary at our facility, ultimately reducing inmate phone availability, and in turn reducing staff efficiency. We implore you not to adopt any regulations which would impact upon our ability to appropriately address administrative and security issues.

For Sheriff Pat Jarvis,

A handwritten signature in black ink, appearing to read "Robert W. Melton", with a long horizontal stroke extending to the right.

Major Robert W. Melton  
Commander, Dekalb County Jail  
Dekalb County, Georgia

CC: Honorable James H. Quello  
Honorable Rachelle B. Chong  
Honorable Andrew C. Barrett ✓  
Honorable Susan Ness

PLACER COUNTY  
DEPARTMENT OF  
**SHERIFF**  
**CORONER-MARSHAL**

MAIN OFFICE / P.O. BOX 6990  
AUBURN, CA 95604 PH: (916) 889-7800  
FAX: (916) 889-7899

TAHOE SUBSTATION / DRAWER 1710  
TAHOE CITY, CA 96145 PH: (916) 581-6305  
FAX: (916) 581-6377

**DONALD J. NUNES**  
SHERIFF-CORONER-MARSHAL

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AUG 3 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

July 25, 1994

The Honorable Andrew C. Barrett  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C.

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Commissioner Barrett:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it necessary to route inmate calls from our facility to a single carrier who is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few of whom will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phones. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

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Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. However, we do not agree with the FCC that BPP is the solution for this lack of responsibility. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed, we believe the overwhelming majority of Sheriffs is committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing phone availability, which in turn decreases the efficiency of our staff. We urge you to *not* adopt regulations that interfere with our administrative and security decisions--decisions that clearly are within our discretion, and which we have a public responsibility to make.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Newman", is written over a horizontal line.

Captain Lawrence E. Newman, Commander  
Placer County Jail  
2775 Richardson Drive, Auburn, California

LEN/nl



*The Office of the Sheriff*  
*Norfolk, Virginia*



ROBERT J. McCABE  
Sheriff

July 27, 1994

P. O. Box 2811  
Norfolk, VA 23501-2811  
(804) 441-2341

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AUG - 3 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

The Honorable Andrew C. Barrett  
Federal Communications Commission  
1919 M. Street  
North West Washington, DC 20554

Re: Opposition to Billed Party Preference; CC Docket No. 92-77

Dear Mr. Barrett,


As the Sheriff of Norfolk which is the most populated urban jail in Virginia, I am opposed to the application of Billed Party Preference at inmate facilities.

I have analyzed the security my administration needs at the Norfolk City Jail and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship.

I cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. Billed Party Preference will take away our rights to coordinate inmate calls through a carrier who we know and trust. Instead inmate calls will be routed to a number of different carriers none of whom will have any obligations to us, and few that will be trained to handle inmate calls.

I am sensitive to the rates inmate families pay for calls. I fully appreciate the FCC's concerns if some sheriffs do not take responsibility for protecting inmate families from abusive rates. I do not agree with the FCC, however, that the solution for this lack of responsibility is Billed Party Preference. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let sheriffs force these rate ceilings through their contract.

I believe the overwhelming majority of sheriffs are committed to requiring rates that are fair and reasonable. In short, Billed Party Preference would take away my ability to employ important security and administrative measures that I have found to be necessary at the Norfolk City Jail, ultimately reducing inmate phone availability which in turn decreases the efficiency of my staff. I urge you not to adopt regulations that interfere with our administrative and security decisions - decisions that are clearly within our discretion in which we have a public responsibility to make. With kindest regards I remain,

  
Robert J. McCabe, No. of Copies rec'd \_\_\_\_\_  
Norfolk Sheriff List ABCDE

RJM/akgl



W. R. Breitenkamp

5723 Pine Country  
San Antonio, TX 78247

July 20, 1994

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AUG - 3 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

The Honorable Andrew Barrett  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

Dear Representative Barrett:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

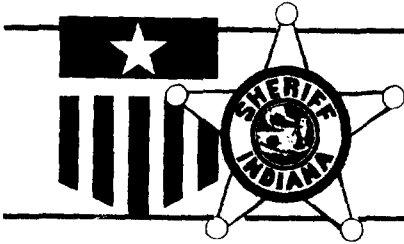
Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,



No. of Copies rec'd 0  
List ABCDE



*The Sheriff of Allen County*  
*Joseph M. Squadrito*  
Room 102 Courthouse  
Fort Wayne, Indiana 46802

July 25, 1994

The Honorable Andrew C. Barrett  
Federal Communications Commission  
1919 M. Street, NW  
Washington, DC 20554

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AUG - 3 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Mr. Barrett,

I strongly oppose the application of Billed Party Preference (BBP) at the Allen County Jail, or any inmate facility.

This jail has found it to be in the best interest of the citizenry to control inmate access to the communication system. Inmates cannot make harassing calls and on the rare occasion it may occur we have control of the system and can block calls when it is requested. To accomplish this we have installed phone equipment designed for use in a controlled environment. This security would be lost with the proposed BPP.

While I appreciate the FCC's concern for rates paid for calls by the family, or the called party, our sheriff has exercised great care in holding the cost down. I do not agree that the solution for bringing those less responsible individuals into line is to bring about a loss of control and revenue to all who are responsible. With the advent of BPP I fear a lessening of the ability to communicate and therefore a severe blow to inmate morale.

It appears that BPP would eliminate the revenue flow that our jail relies upon to buy communication equipment, and such a loss would bring about a deterioration of equipment. While most carriers want the business they do not want the responsibility for the equipment required to maintain close control and rugged enough for our use.

I feel the proposed regulation would take away a valuable security tool, decrease revenue, and make proper administration of inmate communications an impossibility. I urge you not to adopt this regulation!

Respectfully submitted,

*Henry E. Dill*  
Henry E. Dill  
Warden

Allen County Confinement Center  
417 South Calhoun Street  
Fort Wayne, IN 46802

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List ABCDE

Office Phone (219) 428-7535

Communications (219) 428-7661

Brian Dietert

11006 Almond Park  
San Antonio, TX 78249

July 20, 1994

The Honorable Andrew Barrett  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

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AUG - 3 1994  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Dear Representative Barrett:

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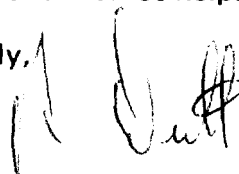
Confinement facilities are unique and, as such, they require specialized phone system equipment. These systems permit a facility to block an inmate's call to specific numbers, block undesired inbound calls, prevent three-way calling and, overall, reduce fraud and other criminal activity. All of these capabilities are inherent in the equipment which means that, for the most part, intervention by administrative personnel is not required and that the maintenance of security is not jeopardized.

A highly competitive market dictates that the technically sophisticated equipment be installed at little or no cost to the facility and that the provider's commissions be paid to the facility. The commissions facilities receive are a major source of revenue for the inmate welfare funds which finance inmate programs such as family visitation, education and rehabilitation programs. Thus, many of the positive aspects of incarceration are actually being paid for by the inmates.

Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,



No. of Copies rec'd 0  
List ABCDE

**Paula Willis**

**10055 Nugget Creek  
Converse, TX 78109-1644**

July 20, 1994

The Honorable Andrew Barrett  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

RECEIVED  
AUG 3 1994  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Dear Representative Barrett:

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I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,

*Paula Willis*

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CALCASIEU  
CORRECTIONAL  
CENTER

PHONE 491-3800



Sheriff  
Wayne F. McElveen  
SHERIFF AND EX-OFFICIO TAX COLLECTOR

JOEY ALCEDE  
Warden

5410 EAST BROAD STREET  
LAKE CHARLES, LA 70605

RECEIVED  
AUG - 3 1994  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

July 26, 1994

The Honorable Andrew C. Barrett  
Federal Communications Commission  
1919 M Street, NW  
Washington, D. C. 20554

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Mr. Barrett,

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We know the security needs at our facility and feel that it is imperative to route inmate calls from our facility to a single carrier that is equipped to properly handle inmate calls and with whom we have a contractual relationship. BPP will take away our ability to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls may be routed to a number of different carriers, none of whom will have any obligation to us, and therefore not be required to provide tracking reports on these calls.

We have installed phone equipment specifically designed for inmate calls. This equipment is designed to help prevent fraud, abusive calls, and other criminal activity over the telephone network. We have a contract with a local, reputable firm that is obligated to work with us as we strive to maintain the security of this institution. The courts have always held that security of an institution is paramount, and have given much latitude to jail administrators to ensure that remains the case.

The Public Service Commission guarantees that our service provider may not take advantage of inmate families by charging abusive rates. We are not in the business of generating money from inmate phone calls. If this were the case, we would constantly "shop" providers to obtain the best rates for us. We have the same provider we opened this facility with in 1990. There are other providers that can give us more revenue, but we are more concerned with security and accountability. The BPP system will not give us that ability.

We urge you to not adopt regulations that interfere with our security and administrative needs; needs that the courts have left to our discretion and which we have a public responsibility to make.

Respectfully submitted,

Joey Alcede  
Warden

No. of Copies rec'd 0  
List ABCDE

**J. REUBEN LONG DETENTION CENTER**  
4150 J. Reuben Long Avenue  
Conway, SC 29526



OFFICE OF DIRECTOR  
RALPH VAUGHT, Director  
CHARLES GROOMS, Deputy Director  
Phone 365-9222

July 22, 1994

The Honorable Andrew C. Barrett  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

RECEIVED  
AUG - 3 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Re: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Judge Barrett:

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

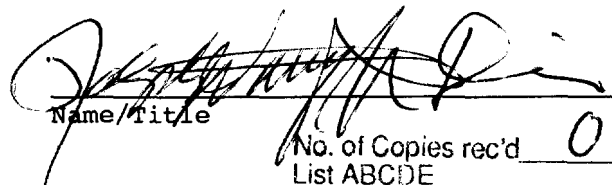
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Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions--decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

  
Name/Title  
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**Darlene Leckrone**

**2155 Field Rd.  
Seguin, TX 78155**

July 20, 1994

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AUG 3 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

The Honorable Andrew Barrett  
Federal Communications Commission  
1919 M Street NW  
Washington DC 20554

Dear Representative Barrett:

As both an employee in the communications industry and a tax paying citizen, I am stating my strong **opposition** to *Billed Party Preference (BPP)* for 0+ Calls. Further, I respectfully request your support in ensuring that Communications Commission Docket 92-77 is defeated.

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Succinctly put, most, if not all, of the positive factors derived from the current way of doing business will be discarded if Billed Party Preference becomes a reality. The industry would be going back to the period prior to 1987 when few correctional facilities in the country were paid commissions and many had to pay for their inmate phone service. From a financial point of view, it could be a disaster. Local telephone and long distance companies would no longer have to pay commissions because there would be no competition. Without commissions, facilities would have to turn to their governing body and taxpayers and compete for already scarce resources. Inmate morale funding would be decreased and attended by an increase in inmate control problems. Who would pay for the inmate phone equipment necessary to control calls and prevent fraud and abuse? Again, facilities would have to turn to government sources. Cutting existing programs or increasing taxes would be the requirement to balance budgets. With inmate populations growing at rates estimated from 10 to 15 percent per year, inmate populations could increase by 40 percent by the end of the century. This, of course, will mandate an increase in the number of facilities and manpower to administer them. More inmates and facilities will necessitate more non-revenue producing inmate phone systems if BPP were approved for correctional facilities.

I appeal for your support in **defeating Communications Commission Docket 92-77** with the saying, "If it ain't broke, don't fix it!" Even though inmate phone service is not perfect, a competitive market helps ensure that improvement continues.

Sincerely,

*Darlene Leckrone*

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Monterey Peninsula Airport District

Post Office Box 550  
Monterey, CA 93942-0550  
408/648-1000  
408/271-0500

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1994

July 29, 1994

FCC MAIL ROOM

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J. Patricia Bass  
Chair  
Martin W. Haskell, Jr.  
Tex Irwin  
Ken Nakamura  
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Denis R. Horn  
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Donn L. Trenner  
Assistant Manager  
Barbara Sadler  
Bookkeeper  
David A. Willschky  
Director

The Honorable Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street NW, Room 222  
Washington, DC 20554

RE: Docket No. 92-77

Dear Mr. Caton,

This is in response to the Notice of Proposed Rulemaking concerning Billed Party Preference(BPP).

We would like to express our opinion that a change to BPP is unnecessary and would be of limited benefit to the customer. Implementation of BPP would result in a loss of needed airport revenue which comes from long distance pay phone commissions, and would inevitably lead to a cost increase for other products and services available to the public at the Monterey Airport.

We strongly urge the FCC to reject the BPP system.

Sincerely,

Denis Horn  
General Manager

No. of Copies rec'd  
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0





W. Q. "QUINT" OVERTON, Sheriff

**FRANKLIN COUNTY SHERIFF'S OFFICE**  
**ROCKY MOUNT, VIRGINIA 24151**

July 29, 1994

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AUG - 3 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

The Honorable Andrew C. Barrett, Commissioner  
Federal Communications Commission  
1919 M. Street N. W.  
Washington, D. C. 20554

Re: Billed Party Preference  
CC Docket No 92-77

Dear Commissioner Barrett:

As Sheriff of Franklin County, Virginia, I would like to express my opposition to the proposed Billed Party Preference (BPP) Rule which is currently before the Federal Communications Commission, or any other Rule or restriction which would alter the services provided to us by our inmate telephone service providers.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have found it necessary to install phone equipment that is specifically designed for inmate calls and use. This equipment helps prevent fraud, harrassing calls, and other criminal activity over the telephone network. This equipment was provided to us, free of charge, by the telephone service provider that is under contract with the county jail. This equipment is also upgraded and maintained by the same telephone service provider—free of charge. The telephone service provides an asset which is self-supporting, self-sufficient and worry-free; while at the same time provides funds back to the jail to be used to provide inmates and facilities with a means to purchase educational, spiritual, and recreational enhancements to their inmate activities programs. The inmate phone system is a vital tool to the correctional staff which allows inmates to maintain close contact with their families and friends and at the same time provides staff with an irreplaceable management tool.

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Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions – decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. W. Overton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sheriff W. W. Overton  
Franklin County Sheriff's Office & Jail



RECEIVED

**TERRY KEEL**  
**TRAVIS COUNTY SHERIFF**  
P.O. Box 1748  
Austin, Texas 78767  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

ALVIN SHAW  
Chief Deputy

APRIL BACON  
Asst Chief - Law Enforcement  
DAN RICHARDS  
Asst Chief - Corrections  
ANDY SAENZ  
Chief of Staff

July 25, 1994

1010 Lavaca St  
Austin, TX 78701:

Administration  
(512) 473-9770  
(fax 473-9722)

Central Records  
(512) 473-9749

Central Warrants  
(512) 473-9751  
(fax 473-9752)

Civil Process Div  
(512) 473-9771

Crime Investigations  
(512) 473-9728  
(fax 473-9774)

Crime Prevention  
(512) 473-9721

Fugitive Unit  
(512) 473-9769

Internal Affairs  
(512) 473-9718

Mental Health Unit  
(512) 473-9734

Personnel  
(512) 473-9772

Traffic Enforcement  
(512) 473-9721

Victim's Assistance  
(512) 473-9709

Patrol Services  
9301 Johnny Morris  
Austin, TX 78724  
(512) 473-9285

Central Booking  
715 E 8th St  
Austin, TX 78701  
(512) 480-5013  
(fax 480-5270)

Travis County Jail  
1000 San Antonio St  
Austin, TX 78701  
(512) 473-9021  
(fax 473-9237)

3614 Bill Price Rd  
Del Valle, TX 78617:

Correctional Complex  
(512) 473-4180  
(fax 473-4191)

Intermediate Sanctions  
(512) 473-4186  
(fax 247-2200)

Training Academy  
(512) 473-4194

The Honorable Reed E. Hundt, Chairman  
Federal Communications Commission  
1919 M Street, NW  
Washington, D.C. 20554

Re: Billed Party Preference; CC Docket No. 92-77

Dear Chairman Hundt:

Please accept this communique as our indication of opposition to the Billed Party Preference proposal for inmate facilities.

Client population at our facility vacillates between 2,300 and 2,600 clients. Security and Administration needs at our facility dictate the necessity of routing inmate calls from our operation to a single carrier that is equipped to handle inmate calls. We currently have a contractual relationship with such a carrier. We find it incompatible with our operation to allow inmates open access with telecommunications networks and the freedom to use any carrier they please. Billed Party Preference will take away our right to coordinate inmate calls through a carrier we have known and with whom we have entered into a contractual relationship. Billed Party Preference will allow calls to be routed to a number of different carriers, none of whom will have any obligation to us and few that will be trained to handle such inmate calls.

Under contractual relationships with a telephone provider, we have installed phone equipment that is specifically designed for inmate calls. Fraud, abusive calls, and other criminal activity are controlled through the use of this special equipment. Costs of local incarceration continue to climb alarmingly. With these costs in mind, we cannot afford to provide the special equipment for inmate telephone service without the help of inmate phone service providers. Billed Party Preference would also detrimentally affect the revenues generated for our County through the inmate phone service. With Billed Party Preference there will be no way for us to finance inmate phone services, and there will be no inmate phone service providers to assist us in this endeavor. Inmate phones assist in maintaining the good morale of an inmate population. Without a well maintained and monitored inmate phone system, tensions within the facility will rise and make it more difficult for our staff to manage the clients.

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Billed Party Preference; CC Docket No. 92-77

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We are sensitive to the rates families pay for inmate calls. We do appreciate the FCC's concern for any Office which does not responsibly protect inmate families from abusive rates. We do not agree, however, with the FCC's proposed solution for the lack of responsibility perpetrated by a few. The proper and more effective action for correcting limited infractions, would be to adopt rate ceilings on inmate calls and then let Sheriff's enforce these rate ceilings through contracts. Indeed the contract we currently maintain provides for such rate ceilings. I believe that most Sheriff's are committed to requiring rates that are fair and reasonable.

I reiterate, Billed Party Preference would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility. The ultimate result of Billed Party Preference would be the reduction in inmate phone availability and in turn the decreased efficiency of our staff. I urge you not to adopt regulations that interfere with our administrative and security decisions. Such decisions are clearly within our discretion and we have a public responsibility to make those decisions.

Respectfully submitted,



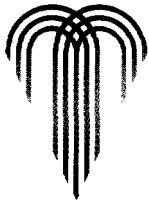
Terry Keel, Travis County Sheriff

1010 Lavaca Street

Austin, Texas 78767

TK:le

xc: Albert Gore, Jr., Vice President of the United States  
James H. Quello, Commissioner  
Andrew C. Barrett, Commissioner  
Rachelle B. Chong, Commissioner  
Susan Ness, Commissioner  
Alvin Shaw, Chief Deputy  
Dan T. Richards, Assistant Chief Deputy  
April Bacon, Assistant Chief Deputy  
Andy Saenz, Chief of Staff  
David Balagia, Captain  
James Harrell, Captain  
Greg Martinez, Captain  
Woody Simmons, Director  
File



## Aviation Department

### Office of the Director

Kansas City Downtown Airport  
250 Richards Road, Suite 265  
Kansas City, Missouri 64116-4272

(816) 842-1991  
Fax: (816) 421-5833

July 29, 1994

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Mr. William F. Canton  
Acting Secretary  
Federal Communications Commission  
1919 M Street - Room 222  
Washington, DC 20554

RE: CC Docket No. 92-77, Phase II

Dear Mr. Canton:

It is my understanding that the Federal Communications Commission is considering issuing a final decision on Billed Party Preference (BPP), a proposal which would eliminate long distance carrier assignments based on contractual arrangements for operator assisted interLATA calls.

Under BPP, these calls would be intercepted by the LEC operator system which would determine the O+ preference interexchange carrier based on the party paying for the call (for instance, the cardholder on a calling card call, or the called party on a collect call). Calls would then be routed to the operator system of the designated interexchange carrier for completion.

Access code dialing could still be available to allow consumers to dial around BPP, but the presubscribed carrier for the phone would be ignored for calls dialed on a O+ basis, and aggregators would have less control over which carrier would handle calls from their locations.

The concept and stated intent of BPP, on the surface, sounds attractive. However, we are unconvinced that the clearly positive intent of the BPP proposal will be achieved in practice. We are concerned that the cost to implement BPP will greatly outweigh the benefits to the traveling public when compared to less costly, reasonable available alternatives.

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Mr. William F. Canton

July 29, 1994

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One of our key missions in a public airport is customer satisfaction. Among the concerns we have over the BPP proposal that we ask the FCC to consider are:

- Many recent and planned innovative telephone services and features may not be available at our facilities if BPP is implemented in a manner that eliminates the incentives of many of today's public pay phone providers.
- Consumers would be inconvenienced through their inability to use commercial credit cards in placing calls if BPP is adopted in a manner which produces such a result.
- Visitors from foreign countries could have great difficulty in placing calls charged to cards issued by foreign telephone companies or placed on a collect basis.
- The cost of implementing BPP could run into million of dollars, with end users bearing the brunt of these costs.
- The number of public pay phones available to consumers could be reduced by BPP if it is adopted in a manner that eliminates financial incentives for telephone providers and public facilities such as airports. As revenues from commissions paid for long distance telephones are reduced, space occupied by telephone banks could become more valuable for other concession revenue generation. The perceived benefit of carrier preference is not much of a benefit if it carries with it increased difficulty for a customer finding a pay phone in a public airport from which to place a call. Further, in the past four years, Kansas City International Airport has received fewer than five complaints from consumers regarding access to their preferred long distance carrier, leading us to the conclusion that the perceived "problem" is incredibly too small for the proposed, enormously expensive "fix" which is being considered.

In our view, the corrective action taken by the FCC in March of 1992 which included the elimination of the practice of "blocking" equal access codes, and requiring other aggregators to unblock access over a six-year period, depending upon equipment and cost involved, was the proper and most cost effective action required.

Mr. William F. Canton

July 29, 1994

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The Kansas City Department of Aviation is opposed to the adoption and implementation of BPP for public pay telephones at our airport facilities and respectfully request that the FCC suspend the introduction of the BPP proposal for public pay phone until such time as the questions raised about the impact on telephone consumers can be answered with greater certainty.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Solomon".

John D. Solomon, A.A.E.

Director of Aviation

City of Kansas City, MO.

pf

# Gallahan oil co. inc.

P.O. Box 183 • Peru, IN 46970 • (317) 472-1963

July 25, 1994

Mr. W. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW  
Room 222  
Washington, D.C. 20554

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cc Docket No. 92 - 77

Dear Mr. Caton,

I am writing you to enter my comments on the proposed Billed Party Preference Mandate. My name is Kevin Gallahan and I, and my brother operate Gallahan Travel Plaza in Peru, Indiana. We are a medium sized Travel Plaza/ Truck Stop serving interstate truck drivers, intrastate truck drivers, business people, traveling families and local customers. Our plaza was built in 1967 by our parents, and is still owned by our family.

Over the years, we have grown and remodeled our business several times. Each time making it better suited to serve our customers. We currently employ 65 people, with 50 being full-time. To be able to do this, we must generate income from our customers. Presently, there is extreme competitive pressure on marketing diesel fuel and gasoline, and the restaurant business. With the mandate of BPP, I agree with you that we will lose our commissions that we are currently receiving.

The commissions we receive enable us to provide a 200 square foot area in our building of payphones for our customers. Our phones are installed, and owned, by Ameritech and are presubscribed to AT&T. You seem to find fault with AT&T being presubscribed in so many locations. I can tell you that we use them for basicly 3 reasons.

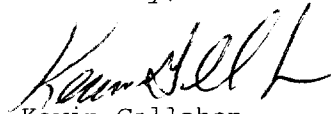
1. Our customers who use our payphones are not getting ripped off with high rates or surcharges.
2. The vast majority of truck drivers and trucking companies seem to prefer AT&T.
3. The commissions paid to us allow us to dedicate part of our building to payphones.

Your report verifies that AT&T's rates are considerably lower than other OSP's. As your report also indicates, the high rates and most complaints of payphones come from third tier OSP's. The problem of those complaints and the high rates need addressed but the current system shouldn't be dramatically changed because of it.



In closing, I would like to reiterate the importance of the current commission schedules. They provide us with income so that we can provide the general public a comfortable, clean, safe place to make their calls. Without them, neither you, nor I, know what will happen to payphones located in private business. Thank you.

Sincerely,



Kevin Gallahan

KWG:da